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February 29, 2009
**APPLICATION GRANTED.
SO ORDERED.**

Susan D. Wigenton
SUSAN D. WIGENTON, U.S.D.J.

January 29, 2009

Honorable Susan D. Wigenton, USDJ
U.S. Courthouse
50 Walnut Street
Newark, NJ 07102

**Re: United States v. Melman et al 2:08-CR-132
Application to modify bail**

Dear Judge Wigenton:

This application is respectfully submitted on behalf of defendant Jack Melman to request that the Court temporarily modify his bail conditions to allow him to travel to Canada to visit his 85 year old father who is in relatively poor health. Also, a temporary return of his Passport is requested.

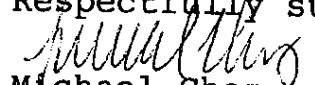
If he is permitted to travel, he would stay at his sister's residence - also in Canada and near his father. His sister, Raya Gray, resides at 1 Sandwood Drive, Thornhill, Ontario. The dates for travel are March 19, 2009 to March 25, 2009 from Newark, New Jersey to Toronto, Canada.

While Pre-Trial Services has not indicated any objection to this request, the Government has advised that they cannot give their consent. However, they both have requested documentation to verify Mr. Melman's family residence in Canada. A copy of same is attached hereto - a utility bill and a copy of his father's and sister's passport.

Mr. Melman has complied with all his pretrial obligations and has been a model defendant since his release on bail several months ago. He is more than willing to provide Pre-Trial Services the phone number and any other details regarding his stay in Canada.

Also attached hereto is Mr. Melman's Declaration that he irrevocably waives extradition proceedings and will not resist or fight any effort by any country to return him to the District of New Jersey. The declaration reflects that Mr. Melman will return his passport to pretrial services within 48 hours of return from Canada.

I have advised Mr. Melman that if the court grants this application, he must strictly follow the conditions of bail, including any modification and that my office would tolerate nothing less. I have further advised him that failure to comply with any modified bail conditions could, and would likely result in his being charged with additional crimes. It is thus requested that the court so order the bail modification as detailed herein.

Respectfully submitted,

Michael Chazen

cc: Anthony Moscato, AUSA
Adrian Garcia, Pre trial - 973-645-6428